

**ZONING REVIEW SHEET****CASE:** c14-2007-0241**Z.A.P. DATE:** January 8, 2008**ADDRESS:** 12200 – 12700 Block of Wilson Parke Avenue**OWNER:** Tomen-Parke Associates, Ltd. (Daisuke Eto)**AGENT:** Rvi Planning & Landscape Architecture (D'Anne Williams)**REZONING FROM:** I-RR (Interim Rural residence) district**TO:** LO (Limited office) district**AREA:** 26.923 Acres**SUMMARY ZONING AND PLATTING COMMISISON RECOMMENDATION:***January 8, 2008:****APPROVED STAFF'S RECOMMENDATIOIN FOR LO ZONING; BY CONSENT.******[J.MARTINEZ, K.JACKSON 2<sup>ND</sup>] (7-0) T.RABAGO – NOT YET ARRIVED*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the request to rezone from I-RR to LO. The recommendation is based on the following observations:

- 1.) The proposed use is compatible with existing residential and commercial development in the area;
- 2.) The rezoning will encourage a transition of land uses from more intensive commercial uses along FM 620 Rd. to less intensive residential development north of Wilson Parke Avenue; and
- 3.) The requested zoning classification is in accordance existing private covenants for the property.

**DEPARTMENT COMMENTS:**

The subject rezoning area consists of an undeveloped 26.923 acre site fronting Wilson Parke Avenue zoned I-RR. The site is surrounded by preserve land including the Balcones Canyonlands Preserve to the west. There also exists a conservation easement along the southern boundary of the subject property to promote the conservation of the existing preserve land. (Please see Attachment A). An executed restrictive private covenant prohibits the development of the property for residential uses (Please see Attachment B).

The applicant seeks LO zoning for the development of office uses. Access is proposed off Wilson Parke Avenue.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped land
<i>North</i>	SF-1	Single family residential
<i>South</i>	I-RR	Undeveloped land
<i>East</i>	I-RR	Undeveloped land
<i>West</i>	I-RR	Undeveloped land

**AREA STUDY:** N/A**TIA:** Yes; Please see Transportation comments**WATERSHED:** Lake Travis**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

275--Volente Neighborhood Assn.  
 691--Ridge at Grandview Hills  
 654--The Parke HOA  
 965--Old Spicewood Springs Rd. Neighborhood Assn.  
 786--Home Builders Association of Greater Austin  
 1037--Homeless Neighborhood Organization  
 425--2222 Coalition of Neighborhood Associations

**SCHOOLS:**

- Canyon Creek Elementary School
- Cedar Park Middle School
- Cedar Park High School

**RELATED CASES:** N/A**CASE HISTORIES:**

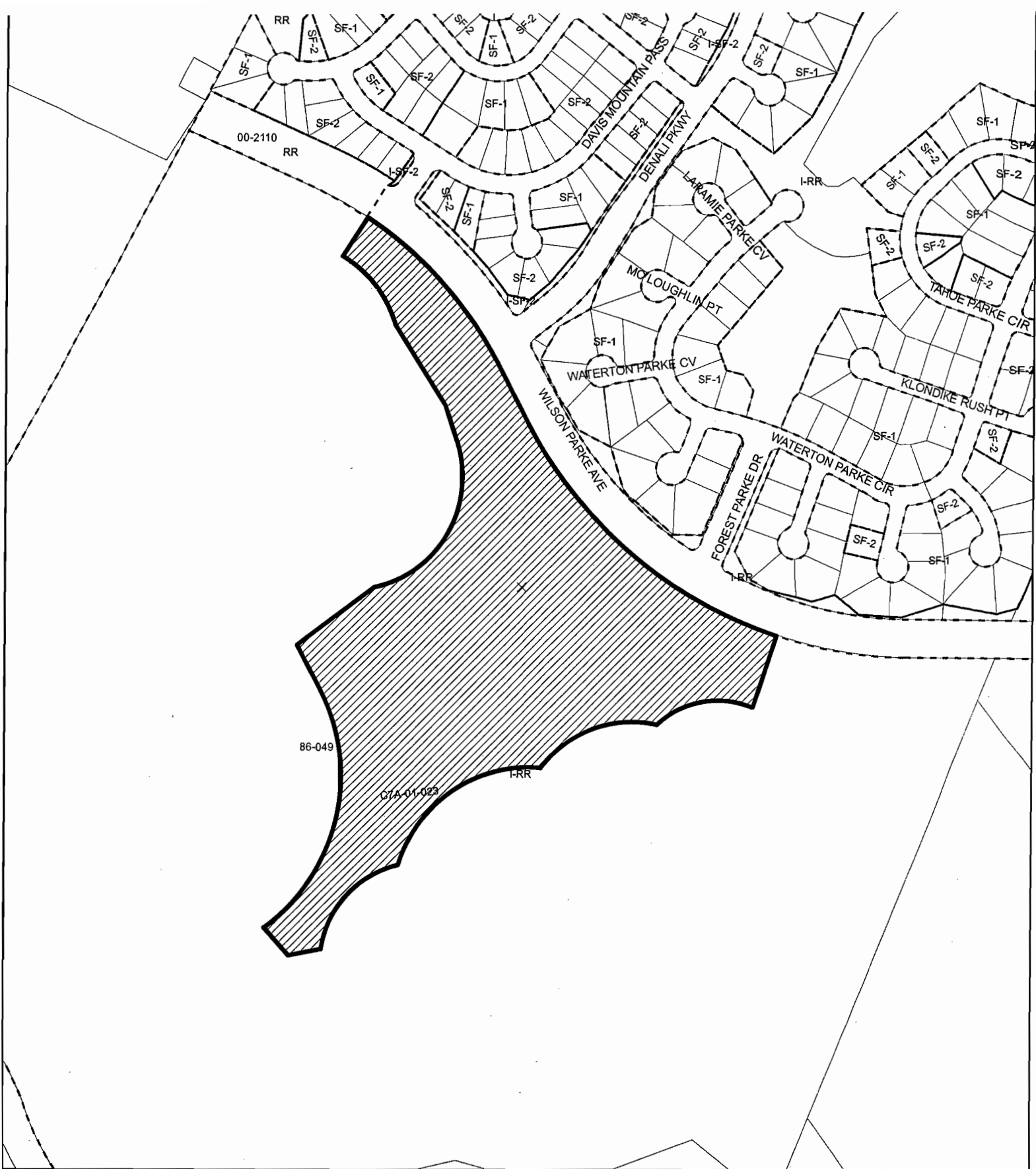
NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0177	SF-2 to CS	01/06/04: APVD GR-CO W/CONDS (9-0)	02/05/04: APVD GR-CO (7-0); ALL 3 RDGS
C14-03-0073	SF-2 to GR-CO	05/20/03: APVD STAFF REC OF GR-CO W/CONDS (7-0)	08/07/03: APVD GR-CO (6-0); 1ST RDG 08/28/03: APVD GR-CO (6-0); 2ND/3RD RDGS
C14-01-0056	SF-2 to GR	05/08/01: APVD STAFF REC OF GR-CO W/TRIP LIMITATIONS PER STAFF REC & PROHIBIT AUTO RELATED USES (6-2, JM/RC-NO)	07/19/01: APVD GR-CO W/CONDS (6-0); ALL 3 RDGS
C14-01-0057	SF-2 to GR	05/08/01: APVD GR-CO W/TRIP LIMITATION CONDS MAINTED PER STAFF REC & PROHIBIT AUTO RELATED USES (6-2, JM/RC-NO)	07/19/01: APVD GR-CO W/CONDS (6-0); ALL 3 RDGS
C14-00-2086	SF-2 to CS	06/06/00: APVD STAFF REC OF LR-CO (9-0)	08/03/00: APVD LR-CO ON ALL 3 RDGS (7-0)
C14-98-0268	I-RR to GR	05/09/00: APVD STAFF REC OF GR W/INCLUSION OF FAST-	05/18/00: APVD PC REC OF GR-CO W/CONDS ON 1ST RDG (5-1, SLUSHER-NAY, LEWIS ABSENT)

		FOOD USE; AND THAT THE FAST-FOOD USE BE LTD TO 4500 SQ FT AS PER TIA (6-1-1, JM-NAY, BH-ABSTAIN)	06/08/00: APVD 2ND/3RD RDGS (7-0)
C14-98-0232	I-RR to GR-MU	02/02/99: SEND TO CC W/O REC	03/04/99: APVD GR-MU-CO W/CONDS (6-1, DS-NAY) 1 RDG 06/03/99: APVD GR-MU-CO W/CONDITIONS (6-1, SLUSHER-NAY) 2ND & 3RD RDGS
C14-98-0235	I-RR to GR-MU	02/02/99: SEND TO CC W/O REC	03/04/99: APVD GR-MU-CO W/CONDS (6-1, DS-NAY) 1 RDG 06/03/99: APVD GR-MU-CO W/CONDITIONS (6-1, SLUSHER-NAY) 2ND & 3RD RDGS
C14-98-0225	I-RR to GR	02/02/99: SEND TO CC W/O REC	03/04/99: APVD GR-MU-CO W/COND (6-1, DS-NAY) 1 RDG 07/01/99: APVD GR-MU-CO W/CONDS (5-1 DS-NO); 2ND RDG 07/22/99: APVD GR-MU-CO W/COND (6-1, SLUSHER-NAY); 3 RDGS
C14-98-0233	I-RR to GR	02/02/99: SEND TO CC W/O REC	03/04/99: APVD GR-MU-CO W/CONDS (6-1DS-NAY) 1 RDG 07/22/99: APVD GR-MU-CO W/CONDS (6-1, SLUSHER-NAY) 2ND/3RD RDGS
C14-98-0236	I-RR to LI	04/06/99: APVD LI W/CONDS (8-0)	05/06/99: APVD PC REC OF LI-CO W/CONDS (6-0) 1ST RDG; PROVISION TO ROLLBACK TO GR IF CURRENT USES CEASE FOR MORE THAN 90 DAYS 07/01/99: APVD LI-CO W/CONDS (6-0) 2ND RDG (1) ALLOW ALL RESTAURANT USES (2) ROLLBACK TO 'GR' IF USE CEASES FOR MORE THAN 180 DAYS (SUBJ TO DISCUSSION TAKEN AT 3RD RDG) 07/15/99: APVD LI-CO W/CONDS (4-2, GRIFFITH/SLUSHER-NAY) 3RD RDG
C14-98-0027	I-SF-2 to GR	04/14/98: APVD GR-CO W/CONDS (6-2)	06/11/98: APVD PC REC OF GR-CO W/CONDS (6-0) 1ST RDG ONLY; DELETED ROW DEDICATION DUE TO WAIVER BY TXDOT 07/09/98: APVD GR-CO W/CONDS (7-0) 2ND/3RD RDGS

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Daily Traffic</b>
Wilson Parke Ave	20	80	Collector	N/A

**CITY COUNCIL DATE:****ACTION:****ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)



1" = 400'



**SUBJECT TRACT**



**ZONING BOUNDARY**



**PENDING CASE**

**OPERATOR: S. MEEKS**

### ZONING

**ZONING CASE#:** C14-2007-0241  
**ADDRESS:** 12208-12524 WILSON PARKE AVE  
**SUBJECT AREA:** 26.923 ACRES  
**GRID:** C35  
**MANAGER:** J. ROUSSELIN



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





## **STAFF RECOMMENDATION**

Staff recommends approval of the request to rezone from I-RR to LO. The recommendation is based on the following observations:

- 1.) The proposed use is compatible with existing residential and commercial development in the area;
- 2.) The rezoning will encourage a transition of land uses from more intensive commercial uses along FM 620 Rd. to less intensive residential development north of Wilson Parke Avenue; and
- 3.) The requested zoning classification is in accordance existing private covenants for the property.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject rezoning area consists of an undeveloped 26.923 acre site fronting Wilson Parke Avenue zoned I-RR. The site is surrounded by preserve land including the Balcones Canyonlands Preserve to the west. There also exists a conservation easement along the southern boundary of the subject property to promote the conservation of the existing preserve land. (Please see Attachment A). An executed restrictive private covenant prohibits the development of the property for residential uses (Please see Attachment B).

## **BASIS FOR RECOMMENDATION**

- 1. Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested modification to the existing conditional overlay will not infringe on the established land uses at the subject site and will continue to promote land use compatibility.

- 2. The proposed zoning should promote consistency, and orderly planning.*

The proposed zoning change is in accordance with existing private restrictions for the area.

### **Transportation**

1. No additional right-of-way is needed at this time.
2. A traffic impact analysis was approved for this project in 1999 under the Grandview Hills Section 9. The site is subject to previously approved TIA for the property.
3. There are existing sidewalks along the north side of Wilson Park Avenue
4. Capital Metro bus service is not available within 1/4 mile of this property.

### **Environmental and Impervious Cover**

1. The site is located over the northern Edward's Aquifer Recharge Zone. The site is in the Lake Travis Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water

Protection Zone. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

2. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
3. The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
7. At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

### **Water and Wastewater**

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Site Plan and Compatibility Standards**

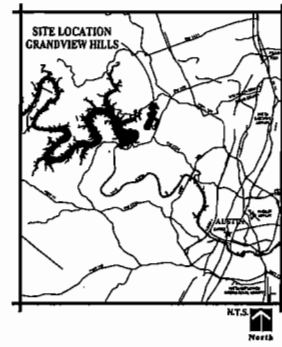
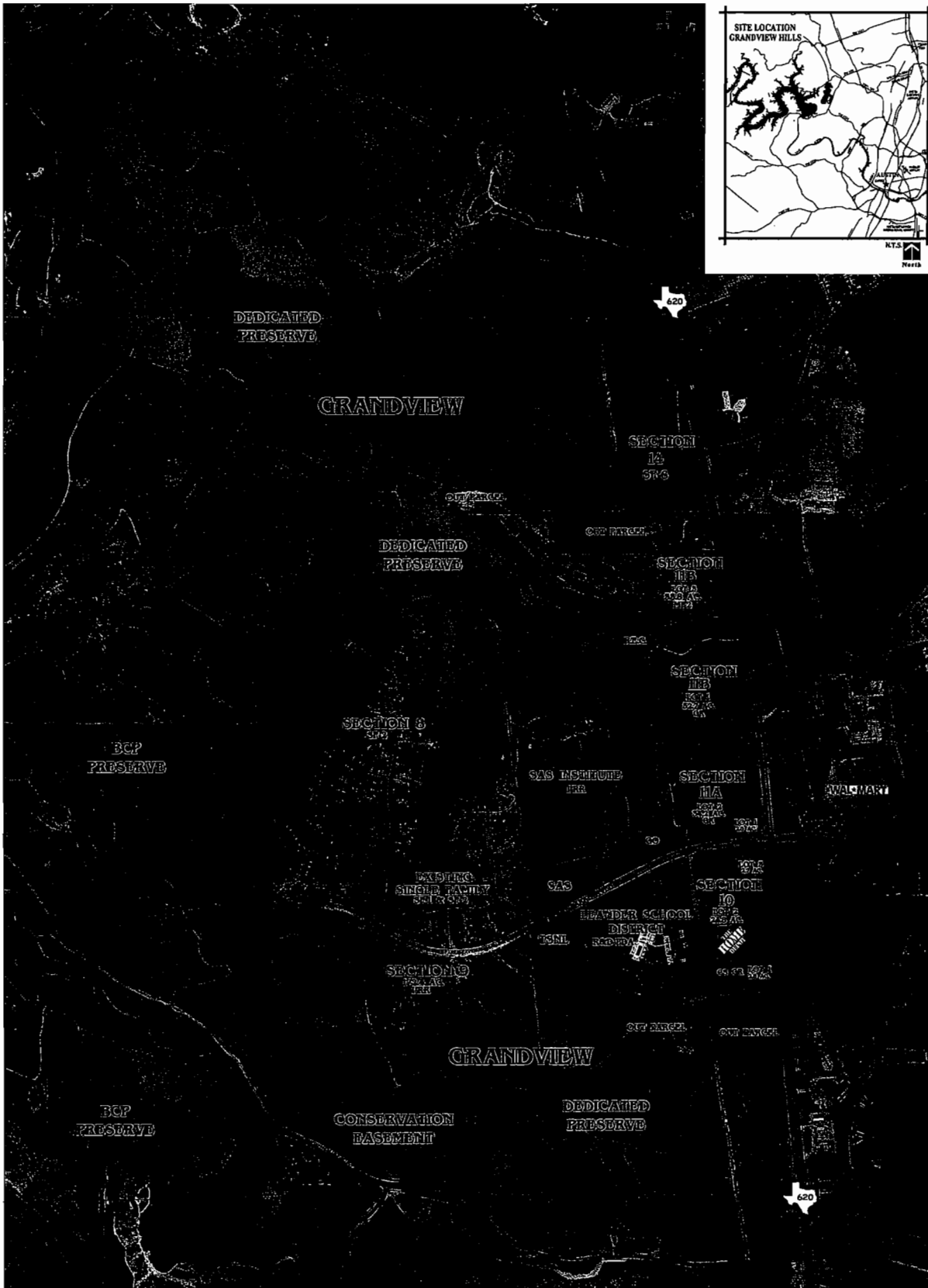
1. Site plans will be required for any new development other than single-family or duplex residential.



2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
3. The site is subject to compatibility standards. Along the eastern, western and southern property line, the following standards apply:
  - No structure may be built within 25 feet of the property line.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within [dependent on lot width] feet of the property line.
  - A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

*Additional design regulations will be enforced at the time a site plan is submitted.*

4. This site is located in the [Drinking Water Protection Zone]. Under Project Duration [25-1-535(B)(4)] site plans in the DWPZ will expire three years from the initial submittal date. For questions concerning Project Duration please contact Susan Scallon at 974-2659.



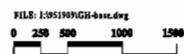
**GRANDVIEW  
HILLS**

Tomen-Parke Associates, Ltd.

**Zoning & Land Use Map**

October 2007

All information furnished regarding this property is from sources deemed reliable. However, KVI (Richardson Verdeorn) has not made an independent investigation of these sources and no warranty or representation is made by KVI as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change.





## RESTRICTIVE COVENANT

Date October 7, 1999

Owner Tomen-Parke Associates, Ltd , a Texas limited partnership

Consideration Ten and No/100 Dollars (\$10 00) and other good and valuable consideration paid by The Parke Homeowners Association, Inc , a Texas non-profit corporation (hereinafter the "Association") to the Owner, the receipt and sufficiency of which is acknowledged

Property That certain 174 395 acres of land in Travis County, Texas more particularly described by metes and bounds in Exhibit "A" which is attached hereto and made a part hereof

WHEREAS, the Owner of the Property and the Association have agreed that the Property should be impressed with certain covenants and restrictions for the benefit and better development of the Property, and as a condition of obtaining the Association's support for the development of the Property which is desired by Owner,

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property, its successors and assigns

- 1 The Property shall not be developed or used for residential purposes of any kind
- 2 As an inducement for Owner's execution of this agreement and covenant, the Association has agreed to support Owner's applications for the subdivision plats, site development permits and zoning (collectively "Permits") which may be necessary to develop and use the Property for an office complex, a research and development project, or a similar commercial project (hereinafter referred to as "Alternative Uses")
- 3 If the Association opposes the Permits necessary for the Alternate Uses, or if Owner is unable to obtain the Permits necessary for the Alternate Use due to the opposition of the individual members of the Association, despite Owner's reasonable good faith efforts to obtain the Permits and the Association's support therefor, the restriction against use of the Property for residential purposes shall expire and be null and void
- 4 If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the Association, or its successor organization(s), to prosecute proceedings, at law or in equity, against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions

5 If any part of this agreement or covenant shall be declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect

6 Except as otherwise expressly provided herein, this agreement may be modified, amended, or terminated only by joint action of both (a) the Board of Directors or similar body of the Association, or such other organization as may succeed the Association, and (b) the owner(s) of the Property at the time of such modification, amendment or termination.

When the context requires, singular nouns and pronouns include the plural

EXECUTED this 7<sup>th</sup> day of OCTOBER, 1999

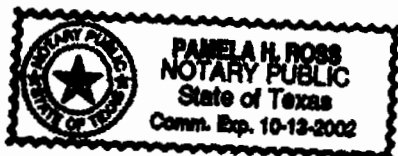
TOMEN-PARKE ASSOCIATES, LTD  
a Texas limited partnership

By: Tomen-Parke, Inc  
a Texas corporation  
General Partner

By: [Signature]  
Name: James McCarthy  
Title: President

STATE OF Texas  
COUNTY OF Travis

This instrument was acknowledged before me on Oct 7, 1999 by James McCarthy, President of Tomen-Parke, Inc, a Texas corporation, acting as general partner of Tomen-Parke Associates, Inc, a Texas limited partnership, on behalf of said limited partnership



Pamela H. Ross  
Notary Public - State of Texas

AGREED AND ACCEPTED.

The Parke Homeowners Association, Inc  
a Texas non-profit corporation

By

John Saragusa, President

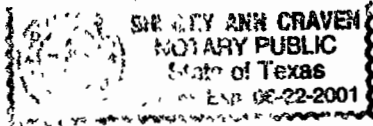
Date

1-12-00

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on January 12, 1999 by John Saragusa, President of The Parke Homeowners Association, Inc, a Texas non-profit corporation, on behalf of said corporation



Shirley Ann Craven  
Notary Public - State of Texas

**EXHIBIT "A"**  
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174.395 ACRES  
TOMEN-PARKE  
GRANDVIEW HILLS SEC. 9

FN NO. 99-093(MJJ)  
APRIL 1, 1999  
BPI JOB NO. 754-02.91

**DESCRIPTION**

OF 174.395 ACRES OF LAND BEING OUT OF AND PART OF THE JAMES T. DUNLAP SURVEY NO. 594, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO TOMEN-PARKE ASSOCIATES, LTD. BY DEED OF RECORD IN VOLUME 12465, PAGES 47-60 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 174.395 ACRES ALSO BEING A PORTION OF LOT O, BLOCK B, OUT OF THE PARKE RECREATION AREAS PHASE A, OF RECORD IN BOOK 90, PAGE 275 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 174.395 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a point set in the easterly line of a 0.23 acre tract of land conveyed to Valente Volunteer Fire Department by deed of record in Volume 12825, Page 258 of said Real Property Records, same being the southwesterly corner of Grandview Hills Section 4, a subdivision of record in Book 102, Page 62-63 of said Plat Records and the northwesterly corner hereof;

**THENCE**, along the southerly line of said Grandview Hills Section 4, being the northernmost line hereof, the following two (2) courses and distances:

- 1) S65°41'38"E, a distance of 427.86 feet to the point of curvature of a non-tangent curve to the right;
- 2) Along said non-tangent curve to the right having a central angle of 09°06'04", a radius of 1368.40 feet, an arc length of 217.36 feet and a chord which bears S61°07'19"E, a distance of 217.13 feet to a point in the westerly line of Muir Parke Pass to the end of said curve;

**THENCE**, S66°19'38"W, a distance of 24.02 feet to the northwesterly corner of the westerly terminus of Wilson Parke Avenue (120' R.O.W.) for an angle point;

**THENCE**, S32°56'54"W, along the westerly terminus of Wilson Parke Avenue, a distance of 120.00 feet to the southwesterly corner of the said westerly terminus of Wilson Parke Avenue, same being the southwesterly corner of The Parke Section 2, a subdivision of record in Book 87, Page 184B-184C of said Plat Records, for the point of curvature of a non-tangent curve to the right;

**THENCE**, along a northerly line of that certain 220.314 acre tract of record in said Volume 12465, Page 47, same being the southerly line of Wilson Parke Avenue (120' R.O.W.), and said The Parke Section 2, and also being the southerly line of Wilson Parke Avenue - Phase "A", a plat of record in Book 87, Page 180-181 of said Plat Records, the following four (4) courses and distances:

FN 99-093 (MJJ)  
APRIL 1, 1999  
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EXHIBIT "A"  
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- 1) Along said non-tangent curve to the right having a central angle of  $29^{\circ}10'10''$ , a radius of 1228.40 feet, an arc length of 625.38 feet and a chord which bears  $S42^{\circ}28'25''E$ , a distance of 618.65 feet to a 1/2 inch iron rod found for the end of said curve;
- 2)  $S27^{\circ}53'41''E$ , a distance of 200.02 feet to a 1/2 inch iron rod found for the point of curvature of a curve to the left;
- 3) Along said curve to the left having a central angle of  $61^{\circ}37'02''$ , a radius of 1400.00 feet, an arc length of 1505.59 feet and a chord which bears  $S58^{\circ}42'01''E$ , a distance of 1434.08 feet to a 1/2 inch iron rod found for the end of said curve;
- 4)  $S89^{\circ}30'17''E$ , a distance of 272.38 feet to the northwesterly corner of that certain 0.0470 acre tract conveyed to Texas System Of Natural Laboratories, Inc. of record in Volume 11238, Page 699, of said Real Property Records same being the most easterly northeast corner of said 220.314 acre tract for an exterior all corner hereof;

THENCE, leaving the southerly line of Wilson Parke Avenue along an easterly line of said 220.314 acre tract being in part the westerly line of said 0.0470 acre tract and in part the westerly line of that certain 36.69 acre tract conveyed to Purcell Investments, L.P. Et Al of record in Volume 12465, Page 249 of said Real Property Records, the following two (2) courses and distances:

- 1)  $S22^{\circ}29'42''W$ , a distance of 1558.50 feet to an angle point;
- 2)  $S22^{\circ}30'12''W$ , a distance of 292.80 feet to the northeasterly corner of that certain 30.47 acre tract conveyed Purcell Investments, L.P. Et Al of record in Volume 12465, Page 239 of said Real Property Records for the most southerly southeast corner hereof;

THENCE, along the northerly line of said 30.47 acre tract, same being the southerly line of said 220.314 acre tract, the following seven (7) courses and distances:

- 1)  $N51^{\circ}32'16''W$ , a distance of 323.45 feet to an angle point;
- 2)  $S70^{\circ}07'49''W$ , a distance of 453.86 feet to an angle point;
- 3)  $N74^{\circ}37'09''W$ , a distance of 340.35 feet to an angle point;
- 4)  $S77^{\circ}21'42''W$ , a distance of 260.85 feet to an angle point;
- 5)  $S58^{\circ}14'14''W$ , a distance of 132.72 feet to an angle point;
- 6)  $S35^{\circ}55'53''W$ , a distance of 116.85 feet to an angle point;



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**EXHIBIT "A"**

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- 7) S79°51'25"W, a distance of 484.50 feet to the point of curvature of a non-tangent curve to the right being the northerly line of Bullick Hollow Road (R.O.W. Varies), same being the southerly line of said Lot O, Block B of The Parke Recreation Areas Phase A;

THENCE, along the northerly line of Bullick Hollow Road, continuing along the southerly line of said 220.314 acre tract, the following six (6) courses and distances:

- 1) Along said non-tangent curve to the right having a central angle of 17°07'39", a radius of 769.59 feet, an arc length of 230.06 feet and a chord which bears N58°28'07"W, a distance of 229.20 feet to the end of said curve;
- 2) N52°13'15"W, a distance of 95.14 feet to a 1/2 inch iron rod found for the point of curvature of a non-tangent curve to the right;
- 3) Along said non-tangent curve to the right having a central angle of 24°25'30", a radius of 779.59 feet, an arc length of 332.34 feet and a chord which bears N30°43'53"W, a distance of 329.83 feet to a 1/2 inch iron rod found for the point of reverse curvature of a non-radial curve;
- 4) Along said non-radial reverse curve to the left having a central angle of 17°00'01", a radius of 1015.37 feet, an arc length of 301.27 feet and a chord which bears N26°57'24"W, a distance of 300.17 feet to a 1/2 inch iron rod found for the end of said curve;
- 5) N35°27'46"W, a distance of 534.35 feet to a 1/2 inch iron rod found for the point of curvature of a non-tangent curve to the left;
- 6) Along said non-tangent curve to the left having a central angle of 24°58'15", a radius of 886.81 feet, an arc length of 386.49 feet and a chord which bears N22°59'10"W, a distance of 383.44 feet to the southwesterly corner of said Lot O, Block B same being the southwesterly corner of said 220.314 acre tract and also being the southeasterly corner of that certain 490.96 acre tract conveyed to Shellberg Tract Joint Venture, of record in Volume 10633, Page 618 of said Real Property Records for the southwesterly corner hereof;

THENCE, leaving the northerly line of Bullick Hollow Road along the easterly line of said 490.96 acre tract, same being in part the westerly line of said 220.314 acre tract and in part the westerly line of said Lot O, Block B, the following three (3) courses and distances:

- 1) N28°57'09"E, a distance of 745.43 feet to an angle point,

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EXHIBIT "A"  
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- 2) N28°25'24"E, a distance of 1638.28 feet to a 1/2 inch iron rod found for an angle point;
- 3) N27°53'37"E, a distance of 46.85 feet to the POINT OF BEGINNING, containing an area of 174.395 acres (7,596,651 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVES ROAD, SUITE 200  
AUSTIN, TEXAS 78746

JOHN T. BILNOSKI  
NO. 4998  
STATE OF TEXAS

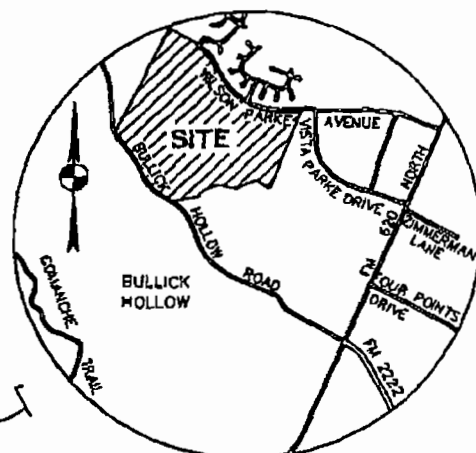
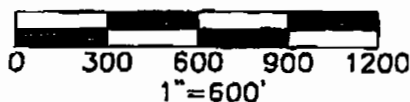
DATE

**EXHIBIT "A"**

PAGE 5 OF 5

**LEGEND**

P.O.B POINT OF BEGINNING



0.23 ACRES  
VOLANTE VOLUNTEER FIRE DEPT  
VOLUME 12825, PAGE 258

VICINITY MAP  
NTS

10.54 ACRES TRACT II  
BAS INSTITUTES, INC.  
VOLUME 11522 PAGE 789

4.9610 ACRES  
TEXAS SYSTEM OF  
NATURAL LABORATORIES  
VOLUME 11238  
PAGE 708

0.047 ACRES  
TEXAS SYSTEM OF  
NATURAL LABORATORIES  
VOLUME 11238 PAGE 599

36.69 ACRES  
PURCELL INVESTMENTS L.P. ET AL  
VOLUME 12455, PAGE 249

30.47 ACRES  
PURCELL INVESTMENTS L.P. ET AL  
VOLUME 12455, PAGE 239

**174.395 ACRES**  
REMAINDER OF 220.314 ACRES  
TOMEN-PARKE ASSOCIATES, LTD.  
VOL. 12465, PG. 47-60

JAMES T. DUNLAP SUR. NO. 594

LOT O, BLOCK B

LOT O, BLOCK B

LOT O, BLOCK B

A.B. & M SUR. NO. 143

490.96 ACRES  
SHELLBERG TRACT JOINT VENTURE  
VOLUME 10633, PAGE 618

129.26 ACRES  
LAKE PERSPECTIVES, LTD  
VOLUME 10494, PAGE 753

**Bury+Pittman, Inc.**  
Consulting Engineers and Surveyors  
Austin, Texas Tel 512/328-0011 Fax 512/328-0328  
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**SKETCH TO ACCOMPANY DESCRIPTION**

OF 174.395 ACRES OF LAND OUT OF THE JAMES T DUNLAP SURVEY NO 594, BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO TOMEN-PARKE ASSOCIATES, LTD. BY DEED OF RECORD IN VOL. 12465, PG. 47 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**TOMEN  
PARKE**

DATE 04/01/99 FILE: H:\754\02\75402EX1.dwg FN No.: FN99-093(MJJ) DRAWN BY: M.J.J. PROJ No 754-02 91

10/05/99 TUE 10:26 [TX/RX NO 9110]

After Recording Return To

Jim Nias

Jackson Walker, L L P

100 Congress Avenue, Suite 1100

Austin, Texas 78701

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

03-16-2000 03 29 PM 2000039445

STRONGL \$25 00

DANA DEBEAUVOIR ,COUNTY CLERK

TRAVIS COUNTY, TEXAS

**Recorders Memorandum**-At the time of recordation this instrument was found to be inadequate for the best reproduction because of illegibility, carbon or photocopy, discolored paper etc All blockouts, additions and changes were present at the time the instrument was filed and recorded

THE PARKE HOA  
13912 PR 620 N #203  
AUSTIN, TX 78717  
252-7555

January 3, 2008

The Honorable Will Wynn, Mayor  
The City of Austin  
301 West 2nd Street  
Austin, Texas 78701

**RECEIVED**  
JAN 04 2008  
Neighborhood Planning & Zoning

RE: Grandview Hills Section 9 Zoning  
COA file No. C14-2007-0241

Dear Mayor and Council Members,

The intent of this letter is to inform the City of Austin that The Parke HOA supports the application for "LO" – Limited Office use for Grandview Hills Section 9. Our HOA has supported Limited Office use of Section 9 for many years.

Our neighborhood, Grandview Hills, formerly The Parke, is a single family residential neighborhood. We feel that additional residential use would over stress our current recreation facilities which are already at capacity. Also, The Parke HOA holds a restrictive covenant signed by the applicant prohibiting residential use of any kind on Section 9.

We look forward to office use of Section 9. We will attend at all public hearings to support the use. If you have any questions, please do not hesitate to give me a call.

Thank you for your time and consideration in recognizing the desire of our HOA for the use as proposed by the applicant.

Sincerely,  
Jim Smitherman  
President  
The Parke HOA Grandview Hills

The Honorable Will Wynn, Mayor  
The City of Austin  
301 West 2nd Street  
Austin, Texas 78701

**RECEIVED**

**JAN 04 2008**

**Neighborhood Planning & Zoning**

RE: Grandview Hills Section 9 Zoning  
COA file No. C14-2007-0241

Dear Mayor and Council Members,

The intent of this letter is to inform the City of Austin that The Ridge HOA supports the zoning application for "LO" - Limited Office use for Grandview Hills Section 9.

Thank you for your time and consideration in recognizing the desire of our HOA to support the zoning application.

Sincerely,

Yassin Sibai  
President,  
The Ridge HOA

**Homeowners' Association for Grandview Hills Section Eight**

8588 Katy Freeway, Suite 230

Houston, Texas 77024

January 7, 2008

**RECEIVED**

**JAN 08 2008**

**Neighborhood Planning & Zoning**

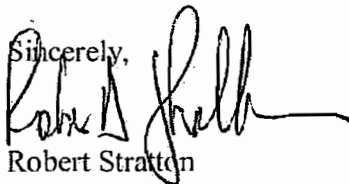
The Honorable Will Wynn, Mayor  
The City of Austin  
301 West 2nd Street  
Austin, Texas 78701

RE: Grandview Hills Section 9 Zoning  
COA file No. C14-2007-0241

Dear Mayor and Council Members,

The intent of this letter is to inform the City of Austin that the Homeowners Association for Grandview Hills Section Eight supports the zoning application for "LO" – Limited Office use for Grandview Hills Section 9.

Thank you for your time and consideration in recognizing the desire of our HOA to support the zoning application.

Sincerely,  
  
Robert Stratton